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JAMES ROBERT ORR

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MARTIN FRANCIS BYRNES,

Plaintiff,

v.

JAMES ROBERT ORR,

Defendant.

Case No. 2:24-cv-03503 DMG-SSC

**JOINT SCHEDULING
CONFERENCE REPORT**

Date: July 19, 2024
Time: 9:30 a.m.
Judge: The Hon. Dolly M. Gee
Place: 350 West 1st Street
Courtroom 8C, 8th Floor
Los Angeles, CA 90012

Plaintiff Martin Byrnes (“Byrnes”) and Defendant James Robert Orr (“Orr”) hereby submit this Joint Scheduling Conference Report pursuant to Civil Local Rule 16-9:

1 **1. Summary of This Case**

2 In this case, Byrnes claims an outstanding debt of \$ 222,551.48 plus interest
3 for consulting services provided by Byrnes over the period from July 2022 until
4 October 2023 inclusive, in relation to a gold and diamond mining project in Ghana,
5 Africa, which is controlled by Orr.

6 Orr disputes the amount of any debt owing. Byrnes claims his contract for
7 that debt is with Orr. Orr claims that he was not the contracting party, but instead
8 that Byrnes' contract was with a company in which he was involved, West Africa
9 Diamond Company Limited, a Nevada corporation ("WAD").

10 **2. Legal Issues**

11 The primary legal issue in this case is whether Byrnes' contract is with Orr, or
12 WAD.

13 **3. Pleadings**

14 Pleadings are not likely to be amended.

15 **4. Motions**

16 There are no motions pending in this action.

17 Once discovery is complete, Byrnes and Orr will consider bringing a motion
18 for summary judgment.

19 **5. Evidence Preservation**

20 All parties have reviewed the ESI Guidelines regarding the preservation of
21 evidence relevant to the issues in this action. The parties agree to comply with their
22 respective obligations to preserve and maintain such evidence, including, without
23 limitation, electronically stored information.

24 **6. Discovery**

25 The parties have not yet made any disclosures pursuant to Fed. R. Civ. P. 26.
26 Byrnes has served a Request for Production of Documents on July 3, 2024.

27 **7. Related Cases**

28 There are not presently any Related Cases within the meaning of Federal Rules

1 of Civil Procedure Rule 40.2.

2 Byrnes is aware of another threatened case against Orr, also for consulting fees
3 owing, which if filed in the federal court would become a related case within the
4 meaning of that rule.

5 **8. Relief**

6 This action is for recovery of a debt owing.

7 **9. Settlement and ADR**

8 The parties have had extensive discussions concerning settlement, so far to no
9 avail. Discussions are ongoing.

10 There have been no discussions concerning ADR.

11 Byrnes proposes ADR Procedure no. 2 under Local Rule 16-15.4. Orr finds
12 this proposal acceptable.

13 **10. Consent to Have a Magistrate Judge Hear the Case**

14 The parties have not consented to assignment of this matter to a Magistrate
15 Judge for all purposes.

16 **11. Other Parties Likely to be Added**

17 No other parties are likely to be added.

18 **12. Scheduling**

19 See Exhibit A attached.

20 **13. Final Pretrial Conference**

21 September 16, 2025 at 2:00 P.M.

22 **14. Trial**

23 If trial is necessary in this matter, the parties anticipate a one day bench trial.

24 The parties propose a date for trial of October 7, 2025.

25 //

26 //

27 //

28 //

1 DATED: July 5, 2024

BARTKO LLP

2
3 By: /s/ Charles G. Miller

4 Charles G. Miller

5 Attorneys for Plaintiff

6 MARTIN BYRNES

7 DATED: July 5, 2024

THARPE & HOWELL, LLP

8
9 By: /s/ Stacey A. Miller

10 Stacey A. Miller

11 Attorneys for Defendant

12 JAMES ROBERT ORR

13 **ATTESTATION OF E-FILER**

14
15 The undersigned ECF user whose identification and password are being used
16 to file the foregoing document hereby attests that all signatories herein, and on
17 whose behalf the filing is submitted, concur in the filing's content and have
18 authorized the filing.

19
20
21 Dated: July 5, 2024

/s/ Charles G. Miller

Charles G. Miller

Judge Dolly M. Gee

#77

SCHEDULE OF PRETRIAL & TRIAL DATES WORKSHEET

Case No.

Case

2:24-cv-03503 DMG-SSC Name: Martin Byrnes v. James Robert Orr

MATTER	JOINT REQUESTED DATE or PLNTF/DEFT REQUESTED DATE	TIME
TRIAL <input checked="" type="checkbox"/> Court <input type="checkbox"/> Jury	October 7, 2025	8:30 a.m.
Duration Estimate:	(Tuesday) ³	
FINAL PRETRIAL CONFERENCE ("FPTC")	September 16, 2025	2:00 p.m.
4 wks before trial	(Tuesday)	

MATTER	TIME COMPUTATION	JOINT REQUESTED DATE or PLNTF/DEFT REQUESTED DATE
Amended Pleadings and Addition of Parties Cut-Off (includes hearing of motions to amend)	90 days after scheduling conf	10/17/2024
Non-Expert Discovery Cut-Off (includes hearing of discovery motions)	at least 14 wks before FPTC	6/10/2025
Motion Cut-Off (filing deadline)	at least 13 wks before FPTC	6/17/2025
Initial Expert Disclosure & Report Deadline	at least 9 wks before FPTC	7/15/2025
Rebuttal Expert Disclosure & Report Deadline	at least 5 wks before FPTC	8/12/2025
Expert Discovery Cut-Off (includes hearing of discovery motions)	at least 3 wks before FPTC	8/26/2025
Settlement Conference Completion Date	at least 4 wks before FPTC	8/19/2025
Motions in Limine Filing Deadline	at least 3 wks before FPTC	8/26/2025
Opposition to Motion in Limine Filing Deadline	at least 2 wks before FPTC	9/2/2025
Other Dates: (e.g., class cert motion cut-off, early mediation, etc.)		N/A

EXHIBIT A

³ Trials commence on Tuesdays. Final pretrial conferences are held on Tuesdays.